

Application No. 10/714,233
AMENDMENT AND RESPONSE dated August 25, 2005
Reply to Office Action of May 5, 2005

REMARKS

Claims 1, 3-6, and 8-30 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Claim 30 was also rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention.

Claims 1, 3-5, and 17-25 were also rejected under 35 U.S.C. § 103(a) as being obvious given US 2003/0109286 A1 (Hack) in view of US 6,215,655 (Heady). Claims 6 and 8-13 were also rejected under 45 U.S.C. § 103(a) as being obvious given Hack in view of Heady and further in view of US 2003/0222334 (Ikeda). Lastly, claims 14-16 and 26-29 were rejected under 35 U.S.C. § 103(a) as being obvious given Hack in view of Heady and further in view of "Electroactive Polymer Artificial Muscles Acoustic Applications" by SRI International.

I. Section 112, First Paragraph, Rejections

Applicant has amended independent claim 1 to require the flexible substrate to have first and second portions wherein the flexible active display is supported by the first portion and the flexible audio transducer is supported by the second portion. In addition, the acoustic dampener is now operably coupled between the first and second portions. Independent claim 20 is also similarly amended.

The Applicant respectfully submits that the claims as amended herein have support in the specification given the exemplary embodiment illustrated in FIG. 7 and the accompanying description thereof. For example, FIG. 7 illustrates the flexible substrate 21, which is previously described in the specification, as having

Application No. 10/714,233
AMENDMENT AND RESPONSE dated August 25, 2005
Reply to Office Action of May 5, 2005

two portions 72 and 73 that include, in this specific embodiment, a first substrate 72 and a second substrate 73.

The Applicant has not amended independent claim 25. The Office Action stated that claim 25 was rejected under section 112, first paragraph, for the same reasons as claim 1; however, the Applicant respectfully notes that claim 25 does not require a "common flexible substrate" as suggested in the Office Action. The Applicant submits that claim 25 is supported by the specification.

The Applicant respectfully requests withdrawal of the rejections to claims 1, 3-6, and 8-30 under 35 U.S.C. § 112, first paragraph.

II. Section 112, Second Paragraph, Rejection

Applicant has amended claim 30 to now require the plurality of flexible audio transducers to be supported by the flexible substrate rather than the flexible active display. The Applicant respectfully requests withdrawal of the rejection to claim 30 under 35 U.S.C. § 112, second paragraph.

III. Obviousness Rejections

As stated above, the Applicant has amended independent claim 1 and 20 to require the flexible substrate to have first and second portions wherein the flexible active display is supported by the first portion and the flexible audio transducer is supported by the second portion. The acoustic dampener is operably coupled between the first and second portions.

Application No. 10/714,233
AMENDMENT AND RESPONSE dated August 25, 2005
Reply to Office Action of May 5, 2005

The Applicant continues to submit that there is no motivation for one skilled in the art to make the proposed combination of references. Hack and Ikeda relate to devices with flexible support substrates and Heady relates to a drive-in ordering apparatus that includes a rigid support substrate. Regarding the claims as amended by this response, there is also nothing in any of the cited references to suggest that one skilled in the art would combine the references to utilize an acoustic dampener between different portions of a support substrate, much less different portions of a flexible support substrate.

Moreover, the Applicant further submits that even if the cited references are combined as proposed, the combination still does not disclose all the limitations of the amended claims. Heady discloses a “vibration dampener 130 surround[ing] a microphone 420 with a vibration dampening substance 430 to hold it in place and to isolate it from vibrations present in conventional outdoor communications structures.” (Heady, Col. 6, lines 41-44.) (Emphasis added.) Heady, therefore, discloses the surrounding of an audio device with a dampening substance, not a dampening substance between two portions of a support substrate (i.e., Heady’s support substrate is the frame 100). Accordingly, the proposed combination would create an audio device surrounded by a dampening substance, which would be entirely within the portion of the substrate that supports the audio device. The proposed combination does not disclose a dampening substance operably coupled between portions of the support substrate.

In light of the claim amendments and response above, the Applicant respectfully requests withdrawal of the obviousness rejections to the claims.

Application No. 10/714,233
AMENDMENT AND RESPONSE dated August 25, 2005
Reply to Office Action of May 5, 2005

There being no other objections to or rejections of the claims, the Applicant respectfully submits that claims 1, 3-6, and 8-30 may be passed to allowance.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By



Steven G. Parmelee
Registration No. 28,790

Date: August 25, 2005

120 South LaSalle Street, Suite 1600
Chicago, Illinois 606033406
Telephone (312) 577-7000
Facsimile (312) 577-7007
425609